

Guardianship Calendar Notes
March 25, 2013, 9:00 a.m., Department 1

These are the court's calendar notes for the guardianship calendar set for hearing on March 25, 2012, 9:00 a.m., in Department 1, the Hon. Suzanne I. Gazzaniga, presiding. Department 1 is located at 101 Maple Street, Auburn.

If a verified petition regarding an accounting is recommended for approval, no appearance is required. For all other matters, appearances are required. If you have questions regarding these Calendar Notes, please contact the probate/guardianship legal research attorney at (916) 408-6119. Do not contact Department 1 directly.

IF THE CALENDAR NOTES STATE THAT A DOCUMENT IS MISSING AND YOU HAVE A FILE-ENDORSED COPY OF THAT DOCUMENT, PLEASE FAX A COURTESY COPY OF THAT DOCUMENT TO (916) 408-6275. THE COURT DOES NOT ACCEPT DIRECT FAXES FOR FILING. ANY UNFILED DOCUMENT FAXED TO THIS LINE WILL NOT BE FILED.

Updated calendar notes may be posted at any time. Please do not call the probate research attorney regarding the status of calendar notes until after checking for any updated notes.

1. S-AD-0002818 Petition of C.E.

Appearance required. Missing citation and service of citation, as previously noted. Missing investigation report.

2. S-AD-0002830 Petition of M.C.

The petition is moot due to the death of the father. It is recommended the petition be dismissed or denied. The parties' adoption hearing is scheduled April 29, 2013, 8:30 a.m., in Department 40.

3. S-PR-0004009 McDonough, Nicole Retno - In Re the Guardianship Of

Appearance is required for hearing on fourth account.

Guardian should be prepared to explain the "stipend" listed as a monthly expense throughout the accounting. No request to approve a stipend has ever been filed, a stipend was never paid or approved in the prior 3 accountings, and there is no explanation of this recurring expense in this account (payee, purpose, reasonableness of amount, etc.).

Guardian should be prepared to explain the timeshare payments on 8-3-2010, 12-13-2010, 2-8-2011, 5-3-2011 and 8-1-2011. The guardianship estate property on hand does not include any timeshare interest. (Although previously approved in the third accounting for payments 8-19-2008, 1-20-2009, 4-29-2009 and 11-4-2009, the third account did not identify these payments as timeshare payments.)

Guardian should be prepared to explain the 12-6-2010 payment described as "Mom Birthday from Heather." Minor's mother is deceased, and gifts from guardian Heather Quigley cannot be charged to the minor's estate.

Guardian should be prepared to explain, in detail, the terms and status of the loan to Heather Quigley. This loan was disclosed as a single line-item disbursement in the third accounting, with no further explanation in the report. Guardian has never disclosed the terms of this loan to the court for approval (rate, term, security). The loan is presumptively both an improper investment under the Probate Code and impermissible self-dealing by the guardians.

Missing report on bond. Last bond posted was for \$25,000. A prior request to order the bulk of the estate to a blocked account was never granted, and no blocked account has been opened. Based on the assets on hand, annual income, and cost-of-recovery requirement under C.R.C. 7.207, bond should be required in the amount of \$270,315.06. A full report on bond is required.

4. S-PR-0006391 Parks, Angelique Anna - In Re the Guardianship of

Appearance required for hearing on petition to terminate guardianship. Missing service of notice of hearing to father and grandparents. It is recommended the court order an investigation report.

5. S-PR-0006450 James, Mitchell Eric - In Re the Guardianship of

It is recommended the review hearing be dropped.

It is recommended the next annual review hearing be set March 17, 2014, 9:00 a.m., in Department 1.

6. S-PR-0006487 Irving-Louis, Adaliyah Y'yanni - In Re the Guardianship of

Appearance required for continued hearing on petition for appointment of guardian.

7. S-PR-0006819 Mecum, Madison Isabella - In Re the Guardianship of

Appearance required for hearing on petition for appointment of guardian of the person. Missing service of notice of hearing to: mother, maternal grandfather. Missing investigation report.

8. S-PR-0006820 Thomas, Emma Marie - In Re the Guardianship of

Appearance required for hearing on petition for appointment of guardian of the person. Missing personal service of notice of hearing to mother; missing service of notice of hearing to maternal grandfather. Missing attachment to confidential screen form. Missing investigation report.